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Individually and on Behalf of
All Others Similarly Situated

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JARED BANKS and LANDON COWAN,
individually and on behalf of All Others
Similarly Situated.

Plaintiffs.

VS.

JP MORGAN CHASE BANK, N.A., a
national association; and DOES 1 through 20,

Defendants.

No. C-12-01065 JSW

**STIPULATION AND [PROPOSED] ORDER
RE: MOTION PRACTICE AND
CONTINUATION OF CASE
MANAGEMENT CONFERENCE
AS MODIFIED**

Date: June 15, 2012
Time: 1:30 p.m.

1 Plaintiffs Jared Banks and Landon Cowan on the one hand, and Defendant JPMorgan
2 Chase Bank, N.A., on the other, through their counsel of record, (together the "Parties"),
3 consistent with Civ. L.R. 6, stipulate and jointly request the Court to order as follows:

4 **BACKGROUND FACTS**

5 1. Counsel for the Parties have conferred regarding case management and, in
6 particular, coordinating the briefing and hearing of impending motions. The Parties agree that
7 coordinating the briefing and hearing of impending motions would help conserve the resources of
8 the Court and the Parties.

9 2. Defendant intends to file a Motion to Dismiss pursuant to Rule 12(b).

10 3. Plaintiffs intend to file a Motion to Remand this action to state court.

11 4. The Parties have agreed to the following briefing and hearing schedule for these
12 two motions:

13 Motions to be filed by April 13, 2012

14 Oppositions to motions to be filed by May 2, 2012

15 Replies to oppositions to be filed by May 14, 2012

16 Proposed hearing date June 8, 2012

17 5. Plaintiffs have extended Defendant's time to respond to the Complaint
18 accordingly. Plaintiffs have previously extended Defendant's time to respond to the Complaint
19 by 28 days.

20 6. The initial Case Management Conference is currently set for June 15, 2012 at 1:30
21 p.m. While the briefing schedule for the motions would not technically interfere with the CMC
22 date, the Parties further agree that it would be advantageous and conserve the resources of the
23 Court and the Parties for the CMC to be continued for a period of four weeks so that the Parties
24 can prepare a Joint Case Management Conference Statement with the Court's rulings on the
25 motions in mind.

26 **STIPULATION**

27 The Parties therefore agree, and propose to the Court, as follows:

28 7. That the Case Management Conference currently scheduled for June 15, 2012 at

1 1:30 p.m., be continued for a period of four weeks, to July 13, 2012, or to such other date as the
2 Court may set.

3 8. All compliance dates that are related to the CMC, including Initial Disclosures,
4 under the Federal Rules of Civil Procedure, Local Rules, or Orders of the Court be likewise
5 extended by four weeks, or as otherwise set by the Court.

6 9. The briefing schedule for the Parties' proposed motions be as proposed in
7 Paragraph 4 above and the hearings on the proposed motions be set for June 8, 2012, or as soon
8 thereafter as the Court may set.

9 **IT IS SO STIPULATED.**

10 BINGHAM McCUTCHEN LLP

11 DATED: April 6, 2012 /s/ Zachary J. Alinder
12 Zachary J. Alinder
13 Attorney for Defendant
14 JPMORGAN CHASE BANK, N.A.

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16 DATED: April 6, 2012 /s/ Arthur D. Levy
17 Arthur D. Levy
18 Attorney for Plaintiffs
19 JARED BANKS and LANDON COWAN

20 **Attestation**

21 Pursuant to Civil L.R. 5-4 and General Order 45 X(B), I, Zachary J. Alinder, hereby attest
22 that the concurrence of all signatories has been obtained.

23 DATED: April 6, 2012 /s/ Zachary J. Alinder
24 Zachary J. Alinder

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ORDER

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Good cause appearing, it is hereby ordered that the Case Management Conference
3 currently scheduled for June 15, 2012 at 1:30 p.m., shall be continued to ~~July 13, 2012~~^{August 31, 2012} at 1:30
4 p.m. All compliance dates that are related to the CMC, including Initial Disclosures, under the
5 Federal Rules of Civil Procedure, Local Rules, or Orders of the Court shall likewise be extended
6 by four weeks. Further, the briefing and hearing schedule for the Parties' impending motions
7 shall be as stipulated by the Parties above in Paragraph 4. with the exception that the hearing on the
8 motions shall be July 6, 2012 at 9:00 a.m.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: April 6, 2012



Hon. Jeffrey S. White
United States District Judge